

IBU External Review Commission

Privacy Policy

Last update: September 2019

1. Introduction

The IBU External Review Commission, c/o Dorda, Universitätsring 10 1010 Vienna, phone: +4315334795, e-mail address: office@dorda.at ("ERC", "we", "us") focuses on protecting your personal data. We therefore comply with the applicable legal provisions on the protection, lawful processing and confidentiality of personal data as well as data security, in particular the Data Protection Act as amended ("DSG") and the General Data Protection Regulation ("GDPR"). The following discloses what information we, as an independent external commission, may collect, process and use as part of our investigations within the International Biathlon Union (IBU).

2. What is personal data?

Personal data is information about data subjects, whose identity is determined or at least determinable. This includes for example your name, your e-mail address and your IP address.

3. Which personal data do we use and for what purpose?

We are investigating allegations of past wrongdoing within the IBU as set out in the ERC Terms of Reference (available at: <https://www.biathlonworld.com/about-ibu/inside-ibu/committees>). In particular, we are conducting a full and unfettered investigation into all anti-doping, compliance, ethical and other disciplinary matters arising from the ongoing investigation by WADA and various national and international criminal authorities, as well as into any further issues of concern that arise in relation to IBU governance or ethical matters within the IBU and/or otherwise in the sport of biathlon that are identified in the course of the investigation.

For these purposes, we process the following categories of personal data of (current and former) IBU Executive Board members, officers, committee members, commission members, working party members, legal and other representatives, employees, agents, consultants, employees and representatives of national member federations, members of event organising committees, suppliers, contractors and partners of the IBU: Name, contact details, position within the IBU (or other relevant organisation), and data that is potentially relevant under criminal law or disciplinary rules, including any allegations or evidence of suspected misconduct or wrongdoing as discovered during the investigation.

In accordance with Art 6 para 1 lit f GDPR in conjunction with § 4 para 3 cif 2 DSG we will use this data to conduct our investigations properly and in a fair and transparent manner.

We store these data for the sole and only purpose to fulfil our mandate as per our Terms of Reference and maintaining an appropriate record and archive of our investigation and findings. The data will be stored as long as necessary to complete our investigation, assist any other international authorities conducting investigations into similar matters, and maintain records in the event of any

satellite litigation/arbitration procedures. Once our investigation and mandate under our Terms of Reference as well as potential ongoing national (court) proceedings are complete, a record and archive of our investigation and findings will be retained by our members as long as allowed by applicable national law.

4. How do we obtain your data?

We receive the data in the course of our investigations from the IBU, WADA and other anti-doping organisations, the police and other law enforcement authorities, national and international federations, third party service providers, witnesses, and third parties via the BKMS whistleblower web portal.

5. To whom do we provide your data?

We transfer your personal data to the necessary extent to the following external service providers (processors):

- IT service providers and/or providers of data hosting or data processing or similar services;
- Other service providers, providers of tools and software solutions who also support us in the provision of our services and act on our behalf.

All our processors will only process your data on our behalf and based on our instructions for the provision of the above services.

We transfer your personal data to the extent necessary for the purposes set out in this policy to the following recipients:

- The ERC's members and assistants;
- The World Anti-Doping Agency (WADA), and, as necessary, Anti-Doping Organisations as defined in the World Anti-Doping Code, including National Anti-Doping Organisations and Major Event Organisations;
- Other relevant sporting organisations, including as necessary IBU member federations, the IOC and IPC, National Olympic Committees and National Paralympic Committees
- The IBU Executive Board;
- The police and other law enforcement agencies, and other relevant regulators and authorities; and
- Other external third parties to the extent necessary on the basis of our legitimate interests (e.g. legal representatives, third parties assisting with the investigation, etc.).

In order to pursue and conduct our investigations properly and accurately, it may be necessary for us to share your personal data with other persons, organisations, entities, participants in the sport of biathlon, or other sources of information who are involved in the investigation to facilitate the collection of further evidence.

6. How do we protect your data?

We take appropriate technical and organisational measures to ensure that your personal data is protected against accidental or unlawful destruction, loss or alteration and against unauthorised disclosure or access. In addition, we are obliged to maintain data secrecy and confidentiality.

7. What are your rights?

According to the General Data Protection Regulation (GDPR) you have the right to access, rectification, erasure, restriction of processing and data portability as well as the right of revocation. You may object to the further processing of your personal data collected and processed based on your consent at any time for any reason. These rights may be restricted under applicable law – we will inform you of any relevant exemptions when responding to your request. You can contact us at the email address listed below to exercise your rights.

You can also lodge a complaint with a data protection authority where you live, work or where you believe a breach to have been committed. This may be the Austrian data protection authority (Barichgasse 40-42, 1030 Vienna or online at www.dsb.gv.at).

8. Questions and further information

For questions and further information about data processing, please use the following e-mail address: office@dorda.at.